THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18413 OF 2006

07.9.2006

Between:

Kommineni Subbaraidu, S/o.Vengaiah
And others

… Petitioners

AND

The District Collector, Nellore
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18413 OF 2006

ORDER:

The seven petitioners earlier filed a writ petition being W.P.No.174 of 2006 praying for a direction to the competent Assigning Authority to assign to the petitioners agricultural lands in survey Nos.268-2, 667/2, 268-1, 267-1, 677, 668, 669, 670 and 672 situated at Gunde Madakala Village of Vinjamoor Mandal in Nellore District. This Court disposed of, W.P.No.174 of 2006 on 04.1.2006, observing that if the petitioners are eligible for assignment, their cases should be considered by the competent authority. Again, the present writ petition is filed seeking a similar relief with a little change. The petitioners, expecting assignment in their favour, raised crops in the lands occupied by them and that they are not being allowed to take away the crop, though their cases have been recommended for assignment by the Gram Panchayat as well as Assignment Committee.

It is brought to the notice of this Court by the learned Counsel for the petitioners that after disposal of the writ petition on 04.1.2006, the petitioners filed W.P.M.P.No.11637 of 2006 seeking a direction to the respondents to permit the petitioners to take away the crop. This Court dismissed the same on 20.7.2006. In view of the same, if an order is passed directing the respondents to permit the petitioners to take away the crop it would be improper. This Court, therefore, is not inclined to pass order in such a manner. It is also brought to the notice of this Court that the Assignment Committee seized up the matter. Therefore, the third respondent may complete the exercise of assigning the land to the petitioners – if they are eligible as per Board Standing Orders – within a period of three weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(**V.V.S.RAO,J**)

September 07, 2006.
YS